

Item # _____

Prepared by: Gloria Kelly
Real Estate Services

Commissioner _____

Approved by: Lisa Kelly
County Attorney

RESOLUTION APPROVING THE CONVEYANCE OF ONE (1) COUNTY OWNED DELINQUENT TAX PARCEL, ACQUIRED FROM SHELBY COUNTY TRUSTEE TAX SALE NO. 0502, LOCATED ON THE SOUTHEAST SIDE OF MEMPHIS-ARLINGTON ROAD, APPROXIMATELY 70 FEET SOUTHWEST OF ARLIN DRIVE, TO THE TOWN OF ARLINGTON, FOR NOMINAL CONSIDERATION, PURSUANT TO T.C.A. §67-5-2509(d) AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE A QUIT CLAIM DEED CONVEYING SAID PARCEL TO THE TOWN OF ARLINGTON. SPONSORED BY COMMISSIONER HENRI BROOKS.

WHEREAS, In 2009, Shelby County acquired one (1) unimproved parcel of Delinquent Tax Property from Shelby County Trustee Tax Sale No. 0502, located on the southeast side of Memphis-Arlington Road, approximately 70 feet southwest of Arlin Drive, within the Town of Arlington, 6567 square feet (0.15 acres), more or less, in size, and further identified as Tax Parcel Number A0141000003680; and

WHEREAS, The Town of Arlington has determined that this parcel of Delinquent Tax Property is needed by the Town of Arlington for use in conjunction with its public sanitary sewer system serving the adjoining residential subdivision known as Arlington Trace Subdivision; and

WHEREAS, The Town of Arlington has requested Shelby County to convey this unimproved parcel of Delinquent Tax Property to it, for nominal consideration, for the Town's use of the same for said public purpose, which unimproved parcel of Delinquent Tax Property being more particularly described in the attached Quit Claim Deed, which is hereby incorporated by reference; and

WHEREAS, T.C.A. §67-5-2509(d) allows Shelby County to transfer real property acquired in a tax sale to any other governmental entity for a public use and purpose; and

WHEREAS, It is deemed to be in the best interest of Shelby County to convey said unimproved parcel of Delinquent Tax Property, 6567 square feet (0.15 acres), more or less, in size, to the Town of Arlington, for nominal consideration, to be used in conjunction with its public sanitary sewer system serving the adjoining residential subdivision known as Arlington Trace Subdivision.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the conveyance of the aforementioned one (1) Delinquent Tax Parcel, acquired from Shelby County Trustee Tax Sale

No. 0502, to the Town of Arlington, for nominal consideration, be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor be and is authorized to execute a Quit Claim Deed conveying the same, along with any other documents necessary for the conveyance of the Delinquent Tax Parcel described herein.

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED _____

SUMMARY SHEET

I. Description of Item

This is an unimproved County owned Delinquent Tax Parcel, 0.15 acres in size, located on the southeast side of Memphis-Arlington Road, approximately 70 southwest of Arlin Drive, within the Town of Arlington, adjoining and immediately west of Arlington Trace Subdivision, and further identified as Tax Parcel Number A0141000003680. It was acquired in 2009 by the County from Shelby County Trustee Tax Sale No. 0502 for outstanding taxes, penalties and interest in the amount of \$ 1,534.91. The existing sanitary sewer line that serves the adjoining residential subdivision known as Arlington Trace Subdivision crosses this Delinquent Tax Parcel. The Town of Arlington has determined that this parcel of Delinquent Tax Property is needed by the Town of Arlington for use in conjunction with its public sanitary sewer system. The Town of Arlington has requested Shelby County to convey this unimproved parcel of Delinquent Tax Property to it, for nominal consideration, for the Town's use of the same for said public purpose. T.C.A. §67-5-2509(d) allows Shelby County to transfer real property acquired in a tax sale to any other governmental entity for a public use and purpose. Based on the above, it is hereby recommended by the Administration that the conveyance of this Delinquent Tax Parcel be approved.

II. Source and Amount of Funding

No county funds required.

III. Contract Items

Quit Claim Deed

IV. Additional Information Relevant to Approval of this Item

N/A

QUIT CLAIM DEED

THIS INDENTURE, made and entered into this ____ day of _____, 2009, by and between the **County of Shelby, a Political Subdivision of the State of Tennessee**, (hereinafter referred to as "**Grantor**"), and the **Town of Arlington, a Municipal Corporation of the State of Tennessee**, (hereinafter referred to as "**Grantee**").

WITNESSETH: That for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **Grantor** has bargained and sold and does hereby bargain, sell, remise, release, convey and forever quitclaim unto **Grantee** all of its right, title and interest in and to the following described real estate, situated and being in the Town of Arlington, County of Shelby, State of Tennessee, to-wit:

A parcel of land acquired by the Commissioners of Shelby County as described in Chancery Court Cause T.R.D. No. 9480-1, Exhibit #18585, County Tax Sale #0502 and being more particularly described as follows:

BEGINNING at a point in the southeast line of Memphis-Arlington Road (34 feet southeast of the centerline) at its intersection with the southwest line of Lot 50, Phase 1, Arlington Trace Subdivision, as shown on plat of record in Plat Book 205, Page 58 in the Register's Office of Shelby County, Tennessee, said point being the northwest corner of said Lot 50; thence S 40°11'51" E along the southwest line of said Lot 50 a distance of 100.91 feet to a point, said point being an internal corner of said Lot 50 and also the northeast corner of the Dacus tract as described in Warranty Deed of record in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number EH 5015; thence S 87°11'40" W along the north line of said Dacus tract a distance of 165 feet to a point in the southeast line of Memphis-Arlington Road (20 feet southeast of the centerline); thence N 49°48'09" E along the southeast line of Memphis-Arlington Road (20 feet southeast of the centerline) a distance of 131.1 feet to an offset point in the southeast line of Memphis-Arlington Road; thence S 40°11'51" E along an offset line in the southeast line of Memphis-Arlington Road a distance of 14 feet to the POINT OF BEGINNING.

Being part of the same property described Warranty Deed of Record in the Register's Office of Shelby County, Tennessee, in the Register's Official Record Book under Instrument Number 02171715.

Containing 6,567 square feet (0.15 acres), more or less.

Tax Parcel No. A0141000003680

This conveyance is being made for the public purpose of providing the hereinabove described real property for **Grantee's** use as part of the **Grantee's** public sanitary sewer system. In the event the above described parcel ceases to be used by the Town of Arlington for this purpose, the same will automatically revert back to Shelby County Government or its lawful successor in interest.

Grantor makes no claim or warranty relative to the environmental condition of the hereinabove described property being conveyed. The conveyance of the above described property is made without warranties of any kind, whatsoever.

This conveyance is subject to acceptance by **Grantee**, which acceptance being expressly acknowledged herein by the approval of the proper Officials as evidenced by their signatures herein below.

IN WITNESS WHEREOF, **Grantor** has caused this instrument to be executed by the affixing thereto of the signature of the Mayor of the County of Shelby, the said Mayor being authorized so to do pursuant to Section 4.03-18 of Chapter 260 of the Private Acts of 1974 in accordance with the approval of the Shelby County Board of Commissioners, on the ____ day of _____, 2009 in Resolution # ____.

TOWN OF ARLINGTON

By: _____
Russell Wiseman, Town Mayor

Approved as to Form:

By: _____
Town Attorney

SHELBY COUNTY, TENNESSEE

By: _____
County Mayor

By: _____
Regina Morris Newman, Trustee

Approved as to Form:

By: _____
Assistant County Attorney/
Contract Administrator

Other County Approvals:

By: _____
Land Bank Administrator

By: _____
County Real Estate Manager

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared _____, **Mayor of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged himself/herself to be the **Mayor of the County of Shelby**, the within named bargainor, one of the counties of the State of Tennessee, and that he/she as such **Mayor** of said county, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Shelby County by himself/herself as such **Mayor** of said County of Shelby.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2009.

Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **REGINA MORRIS NEWMAN, Trustee of the County of Shelby**, with whom I am personally acquainted, and who upon oath acknowledged herself to be the **Trustee of the County of Shelby**, and that she as such **Trustee**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and Notarial Seal, at office in Memphis, in the County aforesaid, this ____ day of _____, 2009.

Notary Public

MY COMMISSION EXPIRES:

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared **RUSSELL WISEMAN**, with whom I am personally acquainted, and who upon oath acknowledged himself to be the **Mayor of the Town of Arlington**, the within named bargainor, and that he as such **Mayor**, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the **Town of Arlington**, by himself as such **Mayor**.

WITNESS my hand and Notarial Seal, at office in the Town of Arlington, in the County aforesaid, this ____ day of _____, 2009.

Notary Public

MY COMMISSION EXPIRES:

(FOR RECORDING DATA ONLY)

Property Address:

0 Memphis Arlington Road

Tax Parcel No:

A0141000003680

Mail Tax Bills to: (Person or Agency
responsible for payment of taxes)

Exempt - Government

Owners Name and Address:

Town of Arlington

5854 Airline Road

Arlington, TN 38002

This instrument prepared by:

Shelby County Government

Real Estate Services

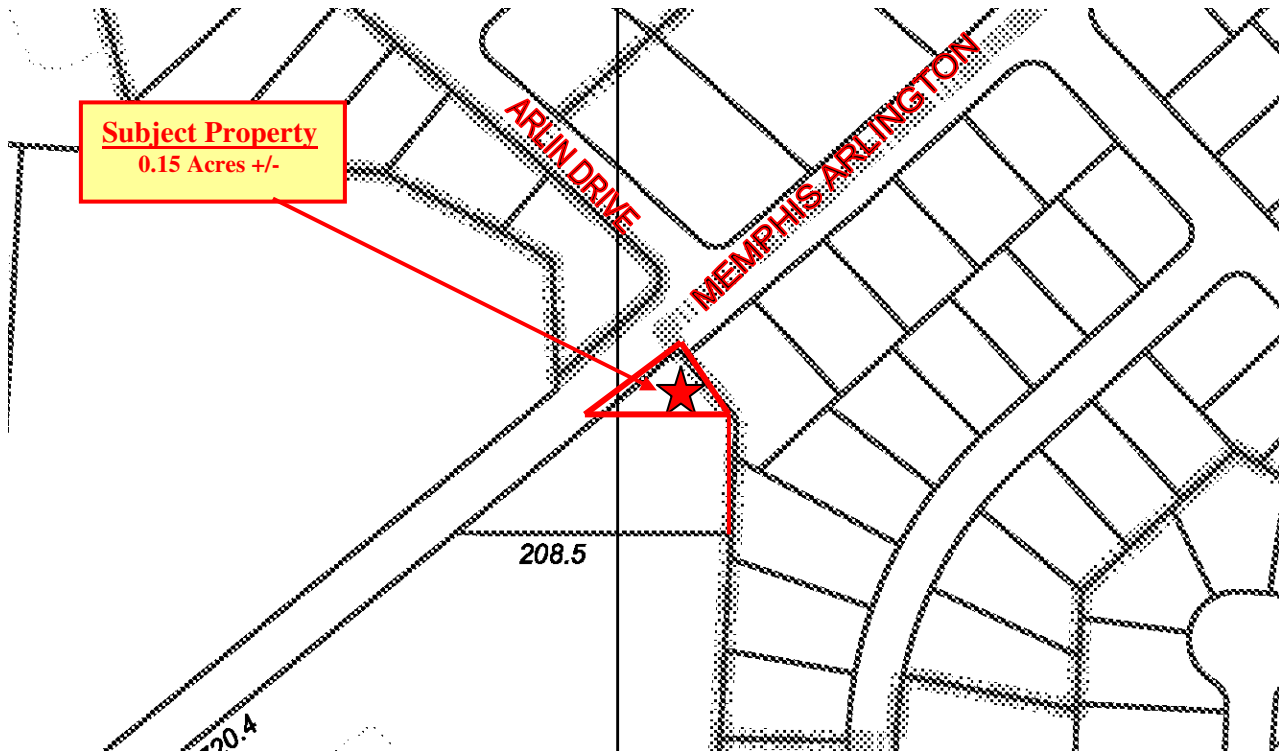
584 Adams Ave.

Memphis, TN 38103

Phone No. (901) 545-3498

0 Memphis Arlington Road

Tax Parcel No. A0141000003680



0 Memphis Arlington Road

Tax Parcel No. A0141000003680

